

Attorney Docket No. 9244-12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: **Babu et al.**

Application No.: 10/817,507

Filed: **April 2, 2004**For: **FLUOROQUINOLONE FORMULATIONS AND METHODS OF MAKING
AND USING THE SAME**

Group Art Unit: 1615

Examiner: **Not Yet Assigned**

Date: December 23, 2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME
(37 C.F.R. § 1.136(a))

1. This is a petition for an extension of time for a total period of (4) month(s) to respond to the Notice of Missing Parts of Application-Filing Date Granted (PTO-1533), mailed June 23, 2004.

2. A response in connection with the matter for which this extension is requested:

☒ is filed herewith.

☐ has been filed.

3. Applicant:

☐ Claims small entity status. See 37 CFR 1.27.

☒ Does not claim small entity status.

4. Calculation of extension fee (37 C.F.R. § 1.17(a)-(d)):

| <u>Total Months Requested</u> | <u>Fee For Other Than Small Entity</u> | <u>Fee for Small Entity</u> |
|---|--|---------------------------------|
| <input type="checkbox"/> one month | \$120.00 | \$60.00 |
| <input type="checkbox"/> two months | \$450.00 | \$225.00 |
| <input type="checkbox"/> three months | \$1,020.00 | \$510.00 |
| <input checked="" type="checkbox"/> four months | \$1,590.00 | \$795.00 |
| <input type="checkbox"/> five months | \$2,160.00 | \$1,080.00 |

Fee Enclosed **\$1,590.00**

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- ☒ A check in the amount of the fee **\$1720.00** is enclosed (\$130.00 for the surcharge under 37 C.F.R. § 1.16(e) and \$1590.00 for a four-month extension).
- ☐ Payment by credit card (Form PTO-2038) is enclosed.
- ☒ Charge Deposit Account No. 50-0220 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,



Kenneth D. Sibley

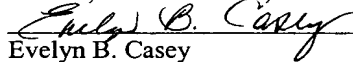
Registration No. 31,665

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV473659713US

Date of Deposit: December 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Evelyn B. Casey

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